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McDERMOTT, WILL & EMERY

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FROM:

Attorney: Judith L. Toffenetti, Esq. Direct Phone: 202-756-8320
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Secretary: Rosanna Pase Direct Phone: 202-756-8392
Client/Matter/Tkpr: 64162-022-6740 Date: March 18, 2003 Time Sent:
Number of pages including this page: 14

TO:

Examiner Scott D. PRIEBE
Name: GAU1632 Facsimile No. 703 308 4242
Company: U.S. Patent & Trademark Office Contact No. _____

Re: U.S. Patent Application No. 09/464,767

Response to Office Action due February 16, 2003 (Second Extension)

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ATTORNEY DOCKET NO. 64162-22
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re CPA Application of:)
Gerald W. BOTH, et al.) Group Art Unit: 1632
Serial No.: 09/464,767) Examiner: SCOTT D. PRIEBE
Filed: December 16, 1999)
For: DNA ENCODING OVINE ADENOVIRUS)
(OAV287) AND ITS USE AS A VIRAL VECTOR)

LETTER SUBMITTING DECLARATION UNDER 35 USC § 1.132

Hon. Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Supplemental to the Amendment and Reply filed with the U.S. Patent and Trademark Office on March 17, 2003, Applicants submit a Declaration Under 35 U.S.C. § 1.132 in the above-identified application duly executed by the inventor, Gerald W. Both.

Respectfully submitted,

MCDERMOTT, WILL & EMERY



Judith L. Toffenetti
Registration No. 39,048

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Date: March 18, 2003

Applicant: Gerald Wayne BOTH, et al. Docket No.: 64162-022

Title: DNA ENCODING OVINE ADENOVIRUS (OAV287) AND ITS USE
AS A VIRAL VECTOR Serial/Reg./Patent No. 09/464,767

Date Sent: 3/17/2003 Hand Carried Fax Electronic Cert. of Mailing Express Mail No. _____

Transmittal Letter PCT CPA RCE Prov

Other: _____ Letter submitting _____ pages of drawings

_____ Req. for Approval of Drawing Amendments

_____ Req. for Oral Hearing

_____ Not of Appeal Appeal Brief Reply Brief

_____ Rule 312 Amendment/Letter

_____ Req. for Acknowledgement of Cited Art

_____ Issue Fee

_____ Publication Fee

_____ Req. for Certificate of Correction

_____ Maintenance Fee for _____ years after grant

_____ Fee Address Indication Form

_____ Terminal Disclaimer

_____ Petition to Commissioner

_____ Status Inquiry

_____ Other

Preliminary Amendment
 Response to Missing Parts Notice
 Resp. to Notice to Correct App. Papers
 Certified Copy of Priority Doc.
 Claim for Convention Priority
 Response/Amendment to Office Action of 16SEP02
 Petition for THREE month Extension of Time

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